

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 90 OF 2015
IN
TESTAMENTARY PETITION NO. 632 OF 2008**

Kalpana Dinesh Vithlani	...Applicant
<i>In the matter between</i>	
Kalpana Dinesh Vithlani	...Petitioner
<i>Versus</i>	
Ashwin Bhupatrai Mavani	...Respondent

Mr. A. S. Gokhale, i/b S. J. Nagasri, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 3rd August 2015**

PC:-

1. Heard. The Notice of Motion has been served. For the reasons set out in the Affidavit in Support and particularly in paragraph 9, the Notice of Motion is made absolute in terms of prayer clauses (a) and (b). Testamentary Petition No. 632 of 2008 is restored to file.
2. A Caveat had already been filed by one Ashwin Bhupatrai Mavani. The Registry shall immediately renumber the Petition as a

Suit. Notice of the present order restoring the Petition and directing its renumbering as a Suit is to be given by the learned Advocate for the Petitioner to the Caveator/Defendant and his Constituted Attorney directly as also to the Advocate who had entered appearance on his behalf. An authenticated copy of this order is to accompany this notice.

3. The Registry is independently to issue a notice accompanied with an authenticated copy of this order to Mr. Ashwin Bhupatrai Mavani.
4. List the Suit for framing issues on 11th September 2015.

(G. S. PATEL, J.)